

A regular meeting of Borough Council was held at 7:30 PM, Monday, June 9, 2012. Mayor Frank North presided. Pledge of Allegiance and Silent Prayer were observed. Announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

ROLL CALL:

Council Present: Fields, Volkert, Brennan and Madden (7:40), Clerk Brouse, Attorney Higgins and CFO Moules were present.

PUBLIC HEARING ON ORDINANCE

ORDINANCE 12-08 AMEND CHAPTER 86 VEHICLES AND TRAFFIC-CROSSWALKS

12-08

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING CHAPTER 86, VEHICLES AND TRAFFIC, OF THE CODE OF THE BOROUGH OF MERCHANTVILLE

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey that Article IV of Chapter 86, Vehicles and Traffic, of the Code of the Borough of Merchantville, is amended as follows:

ARTICLE I.

ARTICLE IV. SECTION 86-7.3

Pedestrian Crosswalks.

A mid-block crosswalk is hereby established across West Maple Avenue, from the northeast corner of the intersection of West Maple Avenue and Morris Street, to a point commencing 16 feet east of the southeast corner of the intersection of West Maple Avenue and Morris Street, ending at a point 24 feet east of the southeast corner of the intersection of West Maple Avenue and Morris Street.

A mid-block crosswalk is hereby established across South Centre Street, from the point commencing 28 feet north of the northeast corner of the intersection of South Centre Street and Locust Street, and ending 34 feet north of the northeast corner of the intersection of South Centre Street and Locust Street, to a point commencing 700 feet south of the southeast corner of the intersection of West Maple Avenue and South Centre Street, ending at a point 706 feet south of the southeast corner of the intersection of West Maple Avenue and South Centre Street.

A mid-block crosswalk is hereby established across Chapel Avenue, from the northeast corner of the intersection of Chapel Avenue and Victoria Street, to a point commencing 538 feet south of the southeast corner of the intersection of Chapel Avenue and Victoria Street, ending at a point 546 feet south of the southeast corner of the intersection of Chapel Avenue and Victoria Street.

A mid-block crosswalk is hereby established across Chapel Avenue, from the southwest corner of the intersection of Chapel Avenue and Victoria Street, to a point commencing 166 feet north of the northwest corner of the intersection of Chapel Avenue and Victoria Street, ending at a point 174 feet north of the northwest corner of the intersection of Chapel Avenue and Victoria Street.

A mid-block crosswalk is hereby established across Browning Road, from the point commencing 760 south of the southwest corner of the intersection of Browning Road and West Maple Avenue, ending at a point 768 feet south of the southwest corner of the intersection of Browning Road and West Maple Avenue, to a point commencing 174 feet north of the northeast corner of the intersection of Browning Road and Volan Street, ending at a point 182 feet north of the northeast corner of the intersection of Browning Road and Volan Street.

A mid-block crosswalk is hereby established across Browning Road, from the point commencing 160 south of the southeast corner of the intersection of Browning Road and West Maple Avenue, ending at a point 168 feet south of the southeast corner of the intersection of Browning Road and West Maple Avenue, from a point commencing 300 feet south of the southwest corner of the intersection of Browning Road and West Maple Avenue, ending at a point 308 feet south of the southwest corner of the intersection of Browning Road and West Maple Avenue.

A mid-block crosswalk is hereby established across West Maple Avenue, from the southeast corner of the intersection of Chapel Avenue and West Maple Avenue, to a point commencing 130 feet west of the northwest corner of the intersection of Alexander Avenue and West Maple Avenue, ending at a point 138 feet west of the northwest corner of the intersection of Alexander Avenue and West Maple Avenue.

A mid-block crosswalk is hereby established across West Maple Avenue, from the southwest corner of the intersection of Chapel Avenue and West Maple Avenue, to a point commencing 576 feet east of the northeast corner of the intersection of Morris Street and West Maple Avenue, ending at a point 584 feet east of the northeast corner of the intersection of Morris Street and West Maple Avenue.

A mid-block crosswalk is hereby established across West Maple Avenue, commencing from a point 312 feet east of the northeast corner of the intersection of West Maple Avenue and Morris Street, ending at a point 320 feet east of the northeast corner of the intersection of West Maple Avenue and Morris Street, further commencing from a point 344 feet east of the southeast corner of the intersection of West Maple Avenue and Morris Street, ending at a point 352 feet east of the northeast corner of the intersection of West Maple Avenue and Morris Street.

A mid-block crosswalk is hereby established across West Maple Avenue, commencing from a point 334 west of the southwest corner of the intersection of West Maple Avenue and Linden Avenue, ending at a point 342 west of the southwest corner of the intersection of West Maple Avenue and Linden Avenue, further commencing from a point 178 west of the northwest corner of the intersection of West Maple Avenue and Linden Avenue, ending at a point 186 west of the northwest corner of the intersection of West Maple Avenue and Linden Avenue.

Crosswalks are hereby established at the intersection of South Centre Street, West Chestnut Avenue and East Chestnut Avenue, commencing:
at the northwest corner of South Centre Street across to the northwest corner of West Chestnut Avenue, using the present curb cuts enabling access for the disabled, a width of six (6') feet; and
at the northwest corner of South Centre Street across to the southeast corner of East Chestnut Avenue, using the present curb cuts enabling access for the disabled, a width of six (6') feet; then
at the southwest corner of South Centre Street across to the southwest corner of West Chestnut Avenue, using the present curb cuts enabling access for the disabled, a width of six (6') feet.

A crosswalk is hereby established at the southeast corner of Alexander Avenue to the southwest corner of Alexander Avenue, using the present curb cuts enabling access for the disabled, a width of six (6') feet, further commencing from a point of intersection of the west curb line of Alexander Avenue for the first crosswalk boundary, and going 8 west on the south side curb line of West Chestnut Avenue for the second crosswalk boundary, both boundary lines continuing across West Chestnut Avenue at a width of eight (8') feet into the present curb cuts enabling access for the disabled into the Merchantville Bike Path.

A crosswalk is hereby established from the northwest curb line of West Chestnut Street south 18 feet along the Morris Street curb line, ending at a point 30 south along the Morris Street curb line, further commencing from the northeast curb line of West Chestnut Street south 18 feet along the Morris Street curb line, ending at a point 30 south along the Morris Street curb line.

A crosswalk is hereby established from the northwest curb line of West Chestnut Street south 18 feet along the Browning Road curb line, ending at a point 30 south along the Browning Road curb line, further commencing from the northeast curb line of West Chestnut Street south 18 feet along the Browning Road curb line, ending at a point 30 south along the Browning Road curb line.

Crosswalks are hereby established at the intersection of East Park Avenue, East Chestnut Avenue and Gilmore Avenue, commencing:

at the present curb cuts enabling access for the disabled, a width of six (12') feet, across East Park Avenue and Gilmore Avenue to the existing concrete island; then

at the present curb cuts enabling access for the disabled, a width of six (12') feet, across East Park Avenue and East Chestnut Avenue to the existing concrete island.

A mid-block crosswalk is hereby established across West Maple Avenue, from the northwest corner of the intersection of Linden Avenue and West Maple Avenue, to a point commencing 8 feet west of the northwest corner of the intersection of Linden Avenue and West Maple Avenue, to a point commencing 8 feet west of the southwest corner of the intersection of Linden Avenue and West Maple Avenue; to a point ending at a point 16 feet west of the southwest corner of the intersection of Linden Avenue and West Maple Avenue.

A mid-block crosswalk is hereby established across West Maple Avenue, from the southwest corner of the intersection of Hamilton Avenue and West Maple Avenue, to a point commencing 8 feet west

of the southwest corner of the intersection of Hamilton Avenue and West Maple Avenue, to a point commencing 118 feet east of the northwest corner of the intersection of Clinton Avenue and West Maple Avenue; to a point ending at a point 126 feet east of the northwest corner of the intersection of Clinton Avenue and West Maple Avenue.

Any crosswalk markings shall be installed in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways.

Any signs used to affect the above-designated crosswalks shall be erected and maintained authorized by the New Jersey Department of Transportation. This section shall take effect upon approval by the New Jersey Commissioner of Transportation, his agents, servants and/or employees.

ARTICLE II.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE III.

This Ordinance shall take effect upon passage and publication according to law.

ADOPT ORDINANCE 12-08 Amend Chapter 86 Vehicles and Traffic-Crosswalks

On a motion of Mr. Brennan and second of Mr. Volkert, Council adopted the following Ordinance:

12-08

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AMENDING CHAPTER 86, VEHICLES AND TRAFFIC, OF THE CODE OF THE BOROUGH OF MERCHANTVILLE

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Road and West Maple Avenue, ending at a point 308 feet south of the southwest corner of the intersection of Browning Road and West Maple Avenue.

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at the northwest corner of South Centre Street across to the northwest corner of West Chestnut Avenue, using the present curb cuts enabling access for the disabled, a width of six (6') feet; and
at the northwest corner of South Centre Street across to the southeast corner of East Chestnut Avenue, using the present curb cuts enabling access for the disabled, a width of six (6') feet; then
at the southwest corner of South Centre Street across to the southwest corner of West Chestnut Avenue, using the present curb cuts enabling access for the disabled, a width of six (6') feet.

A crosswalk is hereby established at the southeast corner of Alexander Avenue to the southwest corner of Alexander Avenue, using the present curb cuts enabling access for the disabled, a width of six (6') feet, further commencing from a point of intersection of the west curb line of Alexander Avenue for the first crosswalk boundary, and going 8 west on the south side curb line of West Chestnut Avenue for the second crosswalk boundary, both boundary lines continuing across West Chestnut Avenue at a width of eight (8') feet into the present curb cuts enabling access for the disabled into the Merchantville Bike Path.

A crosswalk is hereby established from the northwest curb line of West Chestnut Street south 18 feet along the Morris Street curb line, ending at a point 30 south along the Morris Street curb line, further commencing from the northeast curb line of West Chestnut Street south 18 feet along the Morris Street curb line, ending at a point 30 south along the Morris Street curb line.

A crosswalk is hereby established from the northwest curb line of West Chestnut Street south 18 feet along the Browning Road curb line, ending at a point 30 south along the Browning Road curb line, further commencing from the northeast curb line of West Chestnut Street south 18 feet along the Browning Road curb line, ending at a point 30 south along the Browning Road curb line.

Crosswalks are hereby established at the intersection of East Park Avenue, East Chestnut Avenue and Gilmore Avenue, commencing:

at the present curb cuts enabling access for the disabled, a width of six (12') feet, across East Park Avenue and Gilmore Avenue to the existing concrete island; then

at the present curb cuts enabling access for the disabled, a width of six (12') feet, across East Park Avenue and East Chestnut Avenue to the existing concrete island.

A mid-block crosswalk is hereby established across West Maple Avenue, from the northwest corner of the intersection of Linden Avenue and West Maple Avenue, to a point commencing 8 feet west of the northwest corner of the intersection of Linden Avenue and West Maple Avenue, to a point commencing 8 feet west of the southwest corner of the intersection of Linden Avenue and West Maple Avenue; to a point ending at a point 16 feet west of the southwest corner of the intersection of Linden Avenue and West Maple Avenue.

A mid-block crosswalk is hereby established across West Maple Avenue, from the southwest corner of the intersection of Hamilton Avenue and West Maple Avenue, to a point commencing 8 feet west of the southwest corner of the intersection of Hamilton Avenue and West Maple Avenue, to a point commencing 118 feet east of the northwest corner of the intersection of Clinton Avenue and West Maple Avenue; to a point ending at a point 126 feet east of the northwest corner of the intersection of Clinton Avenue and West Maple Avenue.

Any crosswalk markings shall be installed in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways.

Any signs used to affect the above-designated crosswalks shall be erected and maintained authorized by the New Jersey Department of Transportation. This section shall take effect upon approval by the New Jersey Commissioner of Transportation, his agents, servants and/or employees.

ARTICLE II.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE III.

This Ordinance shall take effect upon passage and publication according to law.

PUBLIC HEARING ON ORDINANCE 12-09 AMEND ORDINANCE FOR BIKE PATH

BOROUGH OF MERCHANTVILLE, NEW JERSEY

ORDINANCE NO. 12-09

ORDINANCE FURTHER AMENDING BOND ORDINANCE 09-09 OF THE BOROUGH OF MERCHANTVILLE, IN THE COUNTY OF CAMDEN, NEW JERSEY

BACKGROUND

WHEREAS, on May 11, 2009 the Borough Council of the Borough of Merchantville, County of Camden, New Jersey ("Borough"), duly and finally adopted Bond Ordinance 09-09 authorizing the acquisition of various pieces of equipment and the completion of various capital improvements ("Bond Ordinance"); and

WHEREAS, subsequent to adoption of the Bond Ordinance, the Borough received notice from the New Jersey Department of Transportation and the New Jersey Department of Environmental Protection that they would be receiving \$175,000 in additional grant moneys for the Borough's trail proposal under the 2009 Federal Recreational Trails Program;

WHEREAS, on December 14, 2009, Borough Council duly and finally adopted Ordinance 09-18 ("Amending Ordinance"), which amended the Bond Ordinance to appropriate the additional grant money; and

WHEREAS, subsequent to adoption of the Bond Ordinance and the Amending Ordinance, the Borough received notice from the New Jersey Department of Transportation that the revised cost estimate for the Borough's trail proposal under the 2009 Federal Recreational Trails Program was approved; and

WHEREAS, the Borough is desirous of amending the Bond Ordinance to increase the amount of Section 20 costs authorized therein.

NOW, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. Section 6. of the Bond Ordinance is hereby amended to provide as follows:

"Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$195,000."

Section 2. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended applicable capital budget and applicable capital

improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the Clerk and available for public inspection.

Section 3. All other parts of the Ordinance not amended hereby shall remain in full force and effect.

Section 4. This ordinance shall take effect after final adoption and publication as required by law.

ADOPT ORDINANCE 12-09 AMEND ORDINANCE FOR BIKE PATH

On a motion of Mrs. Fields and second of Mr. Volkert, Council adopted the following Ordinance:

BOROUGH OF MERCHANTVILLE, NEW JERSEY

ORDINANCE NO. 12-09

ORDINANCE FURTHER AMENDING BOND ORDINANCE 09-09 OF THE BOROUGH OF MERCHANTVILLE, IN THE COUNTY OF CAMDEN, NEW JERSEY

BACKGROUND

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WHEREAS, subsequent to adoption of the Bond Ordinance, the Borough received notice from the New Jersey Department of Transportation and the New Jersey Department of Environmental Protection that they would be receiving \$175,000 in additional grant moneys for the Borough's trail proposal under the 2009 Federal Recreational Trails Program;

WHEREAS, on December 14, 2009, Borough Council duly and finally adopted Ordinance 09-18 ("Amending Ordinance"), which amended the Bond Ordinance to appropriate the additional grant money; and

WHEREAS, subsequent to adoption of the Bond Ordinance and the Amending Ordinance, the Borough received notice from the New Jersey Department of Transportation that the revised cost estimate for the Borough's trail proposal under the 2009 Federal Recreational Trails Program was approved; and

WHEREAS, the Borough is desirous of amending the Bond Ordinance to increase the amount of Section 20 costs authorized therein.

NOW, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. Section 6. of the Bond Ordinance is hereby amended to provide as follows:

"Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$195,000."

Section 2. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended applicable capital budget and applicable capital improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the Clerk and available for public inspection.

Section 3. All other parts of the Ordinance not amended hereby shall remain in full force and effect.

Section 4. This ordinance shall take effect after final adoption and publication as required by law.

PUBLIC HEARING ON ORDINANCE 12-10 MPWC Bond Anticipation Notes

ORDINANCE NO. 12-10

On a motion of Mr. Volkert and second of Mr. Brennan, Council adopted the following Ordinance

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, Authorizing the Guaranty by the Borough of the Payment of the Principal of and Interest on the WATER Revenue Bonds, in one or more series, Project Notes, OR OTHER OBLIGATIONS EVIDENCING DEBT TO BE ISSUED BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, in an aggregate principal amount not to exceed \$2,800,000 for the purpose of providing additional security for the payment of said Revenue Bonds or Bond Anticipation Notes; and determining certain matters in connection therewith.

BACKGROUND

WHEREAS, the Merchantville-Pennsauken Water Commission ("Commission"), a body politic of the State of New Jersey, situated at 20 West Maple Avenue, Merchantville, New Jersey 08109, has been duly organized in accordance with the provisions of N.J.S.A. 40:62-108 et seq.; and

WHEREAS, the Commission is jointly owned by the Borough of Merchantville, County of Camden, New Jersey ("Borough") and the Township of Pennsauken, County of Camden, New Jersey ("Township") in the following percentages:

| | |
|--------------------------|---------|
| Borough of Merchantville | 11.58% |
| Township of Pennsauken | 88.42 |
| | 100.00% |

WHEREAS, the Commission has determined there exists a need within its service area for various improvements to its water system consisting of: (i) the full containment of the 175 foot high, three million gallon capacity water tank at 8790 Park Avenue ("Tank"); (ii) removal of the exterior and interior paint on the Tank; and (iii) application epoxy paint to the Tank, including such other work necessary therefore or related thereto ("2012 Project"); and

WHEREAS, the Commission has determined to finance the costs of the 2012 Project through the issuance of its water revenue bonds, project notes or other obligations evidencing debt, in an aggregate principal amount not to exceed \$2,800,000 (collectively, the "Obligations"); and

WHEREAS, the Commission intends to finance the 2012 Project by the issuance of the Obligations through the New Jersey Environmental Infrastructure Trust 2013 Financing Program, or through a public or private sale, as may be determined by Commission; and

WHEREAS, the Borough Council, after due deliberation, has ascertained that it will be in the best interest of the Commission to issue any such Obligations to finance the costs of the 2012 Project; and

WHEREAS, it is the desire of the Borough to guarantee repayment of any such Obligations in the event of a default by the Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, AS FOLLOWS:

Section 1. The Borough hereby guarantees repayment of the principal of and interest on any Obligations issued by the Commission in connection with the 2012 Project, when due, in the event the Commission is unable to make such payment.

Section 2. Said unconditional guarantee by the Borough shall be to the full extent of its ownership interest in the Commission, that being 11.58% of the amount of any default by the Commission.

Section 3. The term of this Ordinance shall extend until all Obligations issued by the Commission in connection with the 2012 Project have been paid in full.

Section 4. All ordinances, or parts of ordinances, inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of any such inconsistency.

Section 5. This Ordinance shall take effect upon publication and final enactment as provided by law.

ADOPT ORDINANCE 12-10 BOND ANTICIPATION NOTES ORDINANCE NO. 12-10

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, Authorizing the Guaranty by the Borough of the Payment of the Principal of and Interest on the WATER Revenue Bonds, in one or more series, Project Notes, OR OTHER OBLIGATIONS EVIDENCING DEBT TO BE ISSUED BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, in an aggregate principal amount not to exceed \$2,800,000 for the purpose of providing

additional security for the payment of said Revenue Bonds or Bond Anticipation Notes; and determining certain matters in connection therewith.

BACKGROUND

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Section 4. All ordinances, or parts of ordinances, inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of any such inconsistency.

Section 5. This Ordinance shall take effect upon publication and final enactment as provided by law.

PUBLIC-NONE

ENGINEER'S REPORT-provided a written report

APPROVAL OF MINUTES- On a motion of Mr. Brennan and second of Mrs. Fields, Council approved the caucus meeting minutes for 6-11-12 and the regular meeting minutes for 5-14-12 and 6-11-12 .

CORRESPONDENCE

COUNCIL REPORTS

Mrs. Fields-Community Center 6 rentals in July, check contract. New Playground equipment and mulch is ordered. Waiting for drawing for pathway. Parks & Playgrounds have 72 children. 2 temp cell towers for water tower. No Planning Meeting this month. Code Enforcement 3 resale inspections
Ways and Means, the Borough Audit is complete and we had no findings. License report attached.

Mr. Volkert-Public works 48 tons yard waste, 4 cuts on properties, window repair, pot holes filled, 2 loads of electronics collected and helped with the preparations for the Car Show. Started painting of curbs on Poplar Avenue and removed three trees.

Mr. Brennan-Court-\$20,941.21 in collections 343 added, 498 disposed. Police-275 calls, 238 traffic, 1 DWI, 3 abandon vehicles, Pedestrian safety-crosswalk stop issued 34 tickets. Reserve Office Dan Mulhern is listed for approval tonight. Bullet Proof vest grant is for \$3,700, National Night Out August 7th from 6:00-8:00.

Mrs. Madden-HPC received an application for 177 S. Centre Street. The Garden Club had made recommendations for 606 W Maple Avenue. Received an email from Mr. Gaskill regarding the sign Ordinance amendments. Will council be updating soon? Mrs. Fields is looking for input from council and then we should move forward on the August agenda.

Clerk's Report-

Audit

Historic Trust grants for Planning,

Car Show

RFP's for Prospect and Myrtle

OLD BUSINESS

NEW BUSINESS

Resolutions to be read by consent agenda: On a motion of Mr. Brennan and second of Mrs. Madden, Council approved the following resolutions by consent agenda:

RESOLUTION 12-86

WHEREAS, N.J.S.A. 40a:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year ending December 31, 2011 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Findings and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52- to wit:

R.S. 52:28BB-52- A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined

not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office.”

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Merchantville, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

R12-87
RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY YEAR
34 COMMUNITY DEVELOPMENT GRANT AGREEMENT

WHEREAS, A cooperative agreement was heretofore entered into between the Borough of Merchantville and the County of Camden for the establishment of a cooperative means of conducting certain community development activities ; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A. 40A:65-4 et seq.) permits local units such as counties and municipalities to enter into agreements for the provision of joint services; and

WHEREAS, the County has achieved “Urban County” status in accordance with the requirements set forth in Title I of the Housing and Community Development Act of 1974, as amended and the Housing and Urban-Rural Recovery Act of 1983; and

WHEREAS, the County has entered into a grant agreement with the U.S. Department of Housing and Urban Development under Title 1 of the Housing and Community Development Act, as amended, for an Entitlement Grant; and

WHEREAS, this Grant is administered for the County by the Count’s Community Development Office; and

WHEREAS, the Borough of Merchantville has proposed certain activities to be carried out under the 34th Year Program; and

WHEREAS, the County has approved funding for eligible project(s) of the Borough of Merchantville from said grant and desires the Borough of Merchantville to undertake said project (s)

NOW, THEREFORE, BE IT RESOLVED by the Governing Body, that the Year 34 Municipality CDBG Grant Agreement be adopted between the Borough of Merchantville and the County of Camden, a copy of the Agreement which is attached thereof; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its enactment as provided by law.

Borough of Merchantville
Resolution No. 12-88

Resolution: **Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the streetscape improvements for Maple Avenue in the West End of town project.**

NOW, THEREFORE, BE IT RESOLVED that Council of Merchantville formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as ID TE-2012-Merchantville Borough-00056 to the New Jersey Department of Transportation on behalf of the Borough of Merchantville.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Merchantville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

APPROVAL-Street closing for block party at St. James Place-On a motion of Mr. Brennan and second of Mr. Volkert, Council approved the street closing on St. James Place.

APPROVAL-Use of facility for St. Peter's Field day. On a motion of Mr. Brennan and second of Mrs. Madden, Council approved the use of facility for St. Peter's field day.

APPROVAL-Banner for Farmer's Market. On a motion of Mr. Brennan and second of Mrs. Madden, Council approved the banner for the Farmer's Market.

APPROVAL-Police reserve Officer Robert Mulhern III. On a motion of Mr. Brennan and second of Mrs. Madden, Council approved reserve officer Robert Mulhern III.

PAYMENT OF BILLS: On the motion of Mrs. Fields and second of Mr. Brennan, Council approved the following resolution:

**R12-89
RESOLUTION**

RESOLVED that the Report of the Department of Accounts and Auditing be accepted and spread upon the minutes and the Treasurer be is hereby authorized to pay bill approved therein.

| CURRENT FUND | | REVENUE | BUDGET |
|-----------------------------|----------------------|----------------|-------------------|
| CHECKS CURRENT FUND | | | |
| | 2012 BUDGET | | 34,143.22 |
| | GRANTS | | 60.29 |
| | PFRS | | |
| | PERS | | |
| | DEBT SERVICE | | |
| | BOARD OF EDUCATION* | | |
| | CAMDEN COUNTY | | |
| WIRE TRANSFERS PAYROLL | 6/15/12 and 6/29/12 | | 120,644.22 |
| WIRES / MANUAL CHECKS | | | 3,730.08 |
| | TOTAL CURRENT | 0.00 | 158,577.81 |
| <hr/> | | | |
| SEWER UTILITY | | | |
| CHECKS SEWER FUND | | | |
| | 2012 BUDGET | | 810.00 |
| | DEBT SERVICE | | 129,158.57 |
| WIRE TRANSFERS PAYROLL | 6/15/12 and 6/29/12 | | 5,482.05 |
| WIRE NJEIT LOAN | | | 0.00 |
| WIRES /MANUAL CHECKS | | | |
| | TOTAL SEWER | 0.00 | 135,450.62 |
| <hr/> | | | |
| GENERAL CAPITAL FUND | | | |
| CHECK CAPITAL FUND | | | |
| MANUAL CHECK | | | |
| WIRE TRANSFERS PAYROLL | | | 0.00 |
| | TOTAL CAPITAL | 0.00 | 0.00 |
| <hr/> | | | |
| TRUST FUND | | | |
| CHECK TRUST OTHER FUND | | | |
| WIRE TRANSFERS PAYROLL | 6/15/12 and 6/29/12 | | 4,113.34 |

| | | | |
|--------------------------------------|---------------------|--------|-------------------|
| WIRES / MANUAL CHECKS | | | |
| TOTAL TRUST | | 0.00 | 4,113.34 |
| SEWER CAPITAL FUND | | | |
| CHECK SEWER CAPITAL | | | |
| MANUAL CHECKS | | | |
| WIRE TRANSFERS PAYROLL | | | 0.00 |
| TOTAL SEWER CAPITAL | | 0.00 | 0.00 |
| RECREATION TRUST | | | |
| CHECK RECREATION TRUST | 2012 BUDGET | 750.00 | 1,250.00 |
| MANUAL CHECKS | | | |
| WIRE TRANSFERS PAYROLL | 6/15/12 and 6/29/12 | | 674.04 |
| TOTAL RECREATION | | 750.00 | 1,924.04 |
| ANIMAL TRUST FUND | | | |
| ANIMAL TRUST CHECK | | | 10.20 |
| TOTAL ANIMAL TRUST | | 0.00 | 10.20 |
| UNEMPLOYMENT | | | |
| UNEMPLOYMENT CHECK | | | |
| TOTAL UNEMPLOYMENT | | 0.00 | 0.00 |
| TOTAL BILL LIST & MANUAL CHECKS/WIRE | | 750.00 | 300,076.01 |
| GRAND TOTAL | | | 300,826.01 |

ANNOUNCEMENTS:**PRIVATE SESSION**

On a motion of Mr. Brennan and second of Mr. Volkert, Council adjourned into private session to

discuss matters of personnel and contract

R12-90

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AUTHORIZING A PRIVATE SESSION OF COUNCIL**

Edward Brenner offered the following resolution and moved its adoption:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, as follows:

The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

The general nature of the subject matter to be discussed is as follows:

Contract Negotiations

It is anticipated at this time that the above stated subject matter shall be made public.

This Resolution shall take effect immediately.

Seconded by Steve Volkert and adopted on roll call by the following vote:

| | Yes | No | Abstain | Absent |
|-------------|-------|-----|---------|--------|
| Mrs. Fields | (x) | () | () | () |
| Mr. Volkert | (x) | () | () | () |
| Mr. Grasso | () | () | () | (x) |
| Mr. Brennan | (x) | () | () | () |
| Mrs. Madden | (x) | () | () | () |
| Mr. Perno | () | () | () | (x) |

ORDINANCE FOR INTRODUCTION ON FIRST READING

Ordinance 12-11 Amend Chapter 86 Vehicles and Traffic-Crosswalks: On a motion of Patricia Fields and second of Steve Volker, the following Ordinance was introduced:

12-11

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY AUTHORIZING A LONG TERM TAX EXEMPTION AGREEMENT BETWEEN THE BOROUGH OF MERCHANTVILLE AND CITADEL WELLWOOD URBAN RENEWAL LLC PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ.

WHEREAS, Citadel Wellwood Urban Renewal LLC (the “Sponsor”) proposes to extensively rehabilitate a certain fifty-four (54) unit apartment complex (the “Project”) within the Borough of Merchantville (the “Borough”), on a site described as Lots 2 and 3, Block 9 as shown on the Official Tax Map of the Borough of Merchantville, and commonly known as 606 West Maple Avenue, Merchantville, New Jersey; and

WHEREAS, the Project will qualify for a tax exemption and/or abatement under the Long Term Tax Exemption Law; and

WHEREAS, the Sponsor has presented to the Borough Council a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project, a copy of which is attached hereto as Exhibit “A” and made a part hereof.

WHEREAS, the Borough Council of the Borough of Merchantville deems it in the best interests of the Borough to grant a tax exemption and/or abatement under the Long Term Tax Exemption Law to Citadel Wellwood Urban Renewal LLC, relative to its extensive rehabilitation of the fifty-four (54) unit apartment complex located at 606 West Maple Avenue in the Borough of Merchantville;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Merchantville, as follows:

ARTICLE I.

A. The Council authorizes the execution of an agreement substantially in the form attached hereto as Exhibit “B” and made a part hereof authorizing an in lieu tax payment of seven (7.00) percent of the gross shelter rent of the Project, subject to the provisions of Section 5 of the Agreement; and

B. The Council hereby authorizes and directs the Mayor of the Borough to execute, on behalf of the Borough, the agreement attached hereto as Exhibit “B”; and

C. The Council understands and agrees that the revenue projections set forth in Exhibit “A” are estimates and the actual payments in lieu of taxes to be paid by the Sponsor to the Borough shall be determined pursuant to the Agreement; and

D. The Council understands that the Sponsor has formed an urban renewal entity limited liability company, and that the Borough may enter into the payment in lieu of taxes agreement with such urban renewal entity limited liability company,

ARTICLE II.

The Municipal Clerk is hereby authorized to forward a certified true copy of this Ordinance to Citadel Wellwood Urban Renewal LLC, c/o DePetro Real Estate Organization, LLC, 201 Union Lane, Suite B, Brielle, New Jersey 08730. The Municipal Clerk is hereby authorized to forward a certified true copy of this Ordinance, and the Financial Agreement implementing it, to both the Municipal Tax Assessor and the Director of the Division of Local Government Services.

ARTICLE III.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE IV.

This Ordinance shall take effect upon passage and publication according to law.

ADJOURNMENT: On the motion of Agnes Madden and second of Steve Volkert, the meeting was adjourned at 8:30P.M.

DENISE BROUSE
BOROUGH CLERK